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|----------------|---------------|---------------|---------------|---------------|------------|
| Gilchrest | Markey | Roukema | Pastor | Sabo | Thompson |
| Gillmor | McCarthy (NY) | Royce | Paul | Sanchez | Thornberry |
| Gilman | McCrery | Salmon | Payne | Sanders | Thune |
| Gingrich | McDade | Sanford | Pelosi | Sandlin | Thurman |
| Goodlatte | McGovern | Sawyer | Peterson (MN) | Scarborough | Tiahrt |
| Goodling | McIntosh | Saxton | Peterson (PA) | Schaffer, Bob | Tierney |
| Gordon | McKeon | Schaefer, Dan | Petri | Scott | Torres |
| Goss | McNulty | Schumer | Pickering | Serrano | Trafigant |
| Greenwood | Meeks (NY) | Sensenbrenner | Pickett | Sessions | Turner |
| Hall (OH) | Metcalf | Shadegg | Pombo | Sherman | Velazquez |
| Hansen | Mica | Shaw | Poshard | Shuster | Vento |
| Hastert | Miller (FL) | Shays | Ramstad | Sisisky | Visclosky |
| Hastings (WA) | Mollohan | Shimkus | Redmond | Skeen | Waters |
| Hayworth | Moran (VA) | Smith (MI) | Reyes | Skelton | Watkins |
| Herger | Morella | Smith (NJ) | Riley | Slaughter | Watt (NC) |
| Hill | Murtha | Smith, Adam | Rivers | Smith (OR) | Watts (OK) |
| Hobson | Myrick | Smith, Linda | Rodriguez | Smith (TX) | Waxman |
| Hoekstra | Nadler | Solomon | Roemer | Snowbarger | Weygand |
| Holden | Neal | Souder | Rogers | Snyder | Wicker |
| Horn | Nethercutt | Spence | Rothman | Stark | Woolsey |
| Hostettler | Neumann | Spratt | Rothal-Allard | Stenholm | Wynn |
| Houghton | Ney | Stabenow | Rush | Stokes | Young (AK) |
| Hyde | Northup | Stearns | Ryun | Taylor (MS) | |
| Inglis | Norwood | Strickland | | | |
| John | Nussle | Stump | | | |
| Johnson (CT) | Oxley | Stupak | | | |
| Johnson, E. B. | Packard | Sununu | Bateman | Harman | Skaggs |
| Kasich | Pallone | Talent | Gonzalez | Hefner | Yates |
| Kelly | Pappas | Tanner | | | |
| Kennelly | Parker | Tauscher | | | |
| Kim | Pascrell | Tauzin | | | |
| King (NY) | Paxon | Taylor (NC) | | | |
| Kingston | Pease | Thomas | | | |
| Klug | Pitts | Towns | | | |
| Knollenberg | Pomeroy | Upton | | | |
| Kolbe | Porter | Walsh | | | |
| Latham | Portman | Wamp | | | |
| LaTourette | Price (NC) | Weldon (FL) | | | |
| Lazio | Pryce (OH) | Weldon (PA) | | | |
| Leach | Quinn | Weller | | | |
| Levin | Radanovich | Wexler | | | |
| Lewis (CA) | Rahall | White | | | |
| Linder | Rangel | Whitfield | | | |
| Livingston | Regula | Wise | | | |
| LoBiondo | Riggs | Wolf | | | |
| Lowey | Rogan | Young (FL) | | | |
| Maloney (NY) | Rohrabacher | | | | |
| Manton | Ros-Lehtinen | | | | |

NOT VOTING—6

□ 2112

Mr. EWING and Mr. MALONEY of Connecticut changed their vote from "aye" to "no."

Messrs. ARCHER, MILLER of Florida and STEARNS changed their vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT CONCERNING NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-252)

The SPEAKER pro tempore (Mr. BARRETT of Nebraska) laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

I hereby report to the Congress on developments since the last Presidential report of November 25, 1997, concerning the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c). This report covers events through March 31, 1998. My last report, dated November 25, 1997, covers events through September 30, 1997.

1. There have been no amendments to the Iranian Assets Control Regulations, 31 CFR Part 535 (the "IACR"), since my last report.

2. The Iran-United States Claims Tribunal (the "Tribunal"), established at The Hague pursuant to the Algiers Accords, continues to make progress in arbitrating the claims before it. Since the period covered in my last report, the Tribunal has rendered one award. This brings the total number of awards rendered by the Tribunal to 585, the majority of which have been in favor of

U.S. claimants. As of March 31, 1998, the value of awards to successful U.S. claimants paid from the Security Account held by the NV Settlement Bank was \$2,480,897,381.53.

Since my last report, Iran has failed to replenish the Security Account established by the Algiers Accords to ensure payment of awards to successful U.S. claimants. Thus, since November 5, 1992, the Security Account has continuously remained below the \$500 million balance required by the Algiers Accords. As of March 31, 1998, the total amount in the Security Account was \$125,888,588.35, and the total amount in the Interest Account was \$21,716,836.85. Therefore, the United States continues to pursue Case No. A/28, filed in September 1993, to require Iran to meet its obligation under the Algiers Accords to replenish the Security Account.

The United States also continues to pursue Case No. A/29 to require Iran to meet its obligation of timely payment of its equal share of advances for Tribunal expenses when directed to do so by the Tribunal. Iran filed its Rejoinder in this case on February 9, 1998.

3. The Department of State continues to respond to claims brought against the United States by Iran, in coordination with concerned government agencies.

On January 16, 1998, the United States filed a major submission in Case No. B/1, a case in which Iran seeks repayment for alleged wrongful charges to Iran over the life of its Foreign Military Sales (FMS) program, including the costs of terminating the program. The January filing primarily addressed Iran's allegation that its FMS Trust Fund should have earned interest.

Under the February 22, 1996, settlement agreement related to the Iran Air case before the International Court of Justice and Iran's bank-related claims against the United States before the Tribunal (see report of May 16, 1996), the Department of State has been processing payments. As of March 31, 1998, the Department of State has authorized payment to U.S. nationals totaling \$13,901,776.86 for 49 claims against Iranian banks. The Department of State has also authorized payments to surviving family members of 220 Iranian victims of the aerial incident, totaling \$54,300,000.

During this reporting period, the full Tribunal held a hearing in Case No. A/11 from February 16, through 18. Case No. A/11 concerns Iran's allegations that the United States violated its obligations under Point IV of the Algiers Accords by failing to freeze and gather information about property and assets purportedly located in the United States and belonging to the estate of the late Shah of Iran or his close relatives.

4. U.S. nationals continue to pursue claims against Iran at the Tribunal. Since my last report, the Tribunal has issued an award in one private claim. On March 5, 1998, Chamber One issued an award in *George E. Davidson v. Iran*,

NOES—213

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|--------------|---------------|---------------|
| Abercrombie | DeFazio | Kaptur |
| Aderholt | Dickey | Kennedy (MA) |
| Allen | Dixon | Kennedy (RI) |
| Bachus | Doggett | Kildee |
| Baesler | Dreier | Kilpatrick |
| Baldacci | Duncan | Kind (WI) |
| Barrett (NE) | Edwards | Klecza |
| Barrett (WI) | Eshoo | Klink |
| Barton | Etheridge | Kucinich |
| Becerra | Evans | LaFalce |
| Bentsen | Everett | LaHood |
| Bereuter | Ewing | Lampson |
| Berman | Farr | Lantos |
| Berry | Fattah | Largent |
| Blumenauer | Filner | Lee |
| Blunt | Foley | Lewis (GA) |
| Bonilla | Fowler | Lewis (KY) |
| Bonior | Frank (MA) | Lipinski |
| Borski | Furse | Lofgren |
| Boswell | Gephardt | Lucas |
| Boucher | Goode | Luther |
| Brady | Graham | Maloney (CT) |
| Brown (CA) | Granger | Manzullo |
| Brown (FL) | Green | Martinez |
| Burr | Gutierrez | Mascara |
| Callahan | Gutknecht | Matsui |
| Camp | Hall (TX) | McCarthy (MO) |
| Campbell | Hamilton | McCollum |
| Canady | Hastings (FL) | McDermott |
| Cannon | Hefley | McHale |
| Capps | Hilleary | McHugh |
| Cardin | Hilliard | McInnis |
| Carson | Hinchee | McIntyre |
| Chambliss | Hinojosa | McKinney |
| Chenoweth | Hoolley | Meehan |
| Christensen | Hoyer | Meek (FL) |
| Clay | Hulshof | Menendez |
| Clayton | Hunter | Millender |
| Clement | Hutchinson | McDonald |
| Clyburn | Istook | Miller (CA) |
| Coburn | Jackson (IL) | Minge |
| Combest | Jackson-Lee | Mink |
| Conyers | (TX) | Moakley |
| Costello | Jefferson | Moran (KS) |
| Cummings | Jenkins | Oberstar |
| Danner | Johnson (WI) | Obey |
| Davis (FL) | Johnson, Sam | Olver |
| Davis (IL) | Jones | Ortiz |
| Davis (VA) | Kanjorski | Owens |

AWD No. 585-457-1, ordering Iran to pay the claimant \$227,556 plus interest for Iran's interference with the claimant's property rights in three buildings in Tehran. The Tribunal dismissed the claimant's claims with regard to other property for lack of proof. The claimant received \$20,000 in arbitration costs.

5. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive Order 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States to implement properly the Algiers Accords. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 13, 1998.

□ 2115

MANDATES INFORMATION ACT OF 1998

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to House Resolution 426 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3534.

□ 2116

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3534) to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes, with Mr. SESSIONS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. SOLOMON) and the gentleman from Massachusetts (Mr. MOAKLEY) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in a bit of ecstasy, not only for the passage of the last bill, but to bring to this floor another very important bill on behalf of business and industry and all Americans, and that is H.R. 3534, the Mandates Information Act of 1998. Today, the House will build on the important work that the 104th Congress began in the area of unfunded intergovernmental mandates and private sector mandates.

Mr. Chairman, the House has operated under the strictures of the Un-

funded Mandate Reform Act since January of 1996. It is the opinion of the Committee on Rules that this statute has served the House well and we are prepared to recommend a modest improvement on it today, one that affects not only the public sector, and that means towns and villages and cities and counties and States, but now it affects the private sector.

A report from the Congressional Budget Office last year found, not surprisingly, that the Republican-controlled Congress has not passed unfunded mandates on State and local governments on the private sector. CBO has found in the last 2 years only 11 percent of the bills and amendments they analyzed contained intergovernmental mandates, and just 2 percent contained costs exceeding the \$50 million threshold into the law.

On the private sector side, CBO has found that only 13 percent of the bills and amendments contained private sector mandates and a scant 5 percent contained costs exceeding the \$100 million threshold.

CBO appeared before the Committee on Rules' oversight hearings on the operation of the law, and they testified that the goals of the law providing reliable information for Members and the public, as well as congressional accountability for passing a mandate, have largely been met. In other words, we succeeded in doing what we set out to do.

Under that law, CBO has prepared these estimates for committee reports, and the information on public and private sector mandates has been available for Members when they come to this floor to vote so that they know what the long-range ramifications of casting that vote will be.

In the opinion of the Committee on Rules, the underlying law has served as an effective deterrent for Congress to mandate, because of the point of order available on the House floor.

There have been instances in the Committee on Rules's experience where a mandate on the public or private sector was discovered and the offending language was deleted or altered in a rule in an effort to address the concerns, rather than face an automatic debate on the vote on the floor. In other words, Congress has paid attention and they have not brought these unfunded mandates to the floor knowing they are going to have to face this test.

The law has worked in a manner impossible to quantify in these instances, Mr. Chairman.

At the close of the 104th Congress, the Committee on Rules was pleased to report to the House in its activity report that in the first year of existence of the unfunded mandate law, it could find no single instance in which it had waived the unfunded mandates point of order, not once. There were several instances in which the committee waived all points of order, but in those cases the committee was not aware of any

CBO estimate of an unfunded mandate in the underlying legislation.

In fact, in several prominent instances, such as the immigration reform bill, the committee waived all points of order except those arising under the unfunded mandate statute.

Mr. Chairman, the Committee on Rules has an excellent track record of adherence to the principles of the unfunded mandates law in this 105th Congress as well. The experience of the House with the Nuclear Waste Policy Act is illustrative of the fact that the Committee on Rules prefers not to waive the mandates point of order, but rather prefers to force the committees of jurisdiction to defend their work product on the floor of this House and then let the House work its will.

With 2 years of positive experience with the unfunded mandates procedure in the public sector as our foundation, the Committee on Rules is compelled to recommend H.R. 3534 to the House as an improvement to our proceedings.

Under current law, CBO is only required to estimate the direct costs of all Federal private sector mandates that exceed \$100 million, and the amount of Federal financial assistance, if any, provided by the legislation to assist with the compliance costs.

The bill before the House amends the Unfunded Mandates Reform Act to require committee reports on bills or joint resolutions to include a statement from CBO estimating the impact of private sector mandates on consumers, on workers, on small businesses, including any disproportionate impact in particular regions or on particular industries within those regions. It would subject such legislation to a point of order if it is not feasible for the CBO to prepare such an estimate, as well.

Current law only allows a point of order against consideration of a bill, joint resolution or amendment, motion or conference report if it exceeds \$50 million in direct costs in Federal mandates on intergovernmental (State and local governments), unless that mandate is paid for with new Federal financial assistance. This bill would prohibit the consideration of the legislation containing private sector mandates whose direct costs exceed \$100 million and thereby expand the available points of order under the landmark law.

The bill further constrains the Chair from recognizing more than one point of order with respect to private sector mandates for any one bill, joint resolution, amendment, motion or conference report. It is anticipated that one point of order, one 20-minute debate, and one vote is sufficient to encapsulate the debate on the private sector mandates contained in any one legislative measure.

The bill also contains a provision during the markup of the Committee on Rules as an amendment by our friend, the vice chairman of the committee, the gentleman from California